

GAHC010080902024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : I.A.(CrI.)/377/2024

SAMIR CHOWDHURY
S/O LATE NURUL HUSSAIN CHOWDHURY R/O H/NO. 09, SHAKTI PATH,
VISHNU NAGAR, PANJABARI, GUWAHATI, P.O. PANJABARI, P.S. SATGAON
DIST. KAMRUP (M), ASSAM PIN-781037

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR NIKUNJA KUMAR SARMA

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA

ORDER

Date : 01.05.2024

Heard Mr. W. R. Medhi, learned counsel for the applicant. Also heard Mr. P. Borthakur, learned Additional Public Prosecutor for the State respondent.

This is an application filed for granting extension of time in order dated 07.02.2024,

passed by this Court in AB No. 4312/2022, whereby the present petitioner was directed to appear before the I.O. within 7 (seven) days from the date of order in connection with Crime Branch P.S. Case No. 09/2023, under Sections 120B/419/420/468/471/409 of the IPC.

It is submitted by Mr. Medhi, learned counsel for the applicant, that when the petitioner was about to appear before the I.O. in terms of the order of interim pre-arrest bail, passed in AB No. 4312/2022, he came to know that another F.I.R. has been lodged against him, which is registered as Cyber P.S. Case No. 12/2023, under Sections 120B/419/420 IPC, *read with* Section 66C/66D of the I.T. Act. Accordingly, coming to know about the lodging of the said F.I.R., he was not in a position to appear before the I.O. as there was an apprehension of being arrest in connection with the said case. However, he again filed an Application for pre-arrest bail in connection with the said Cyber P.S. Case No. 12/2023, wherein vide Order dated 08.04.2024, he was granted with the privilege of pre-arrest bail and hence, the present application has been filed for extension of time to appear before the I.O. in pursuant to the Order dated 07.02.2024, passed in AB No. 4312/2023.

In this context, Mr. P. Borthakur, learned Additional Public Prosecutor, has submitted that considering the circumstances of this case, the prayer of the applicant may be considered.

After hearing the submissions made by the learned counsels for both sides and also considering the entire facts and circumstances of this case, the present applicant is hereby directed to appear before the I.O. within 7 (seven) days from the date of this order and to co-operate in the investigation of the case in terms of the order dated 07.02.2024, passed in AB No. 4312/2023.

With the above observation and direction, the present interlocutory application stands disposed of.

JUDGE

Comparing Assistant